

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA,	)	
	)	Criminal No. 24-025 (ECT/TNL)
Plaintiff,	)	
	)	DEFENDANT'S PRETRIAL MOTION
v.	)	TO COMPEL ATTORNEY FOR THE
	)	GOVERNMENT TO DISCLOSE
JON MICHAEL ASK,	)	EVIDENCE FAVORABLE TO THE
	)	DEFENDANT
Defendant.	)	

Jon Michael Ask, through his undersigned attorney, moves the Court for an Order compelling disclosure of evidence favorable to the defendant, pursuant to the authority of Brady v. Maryland, 373 U.S. 83 (1963), Giglio v. United States, 405 U.S. 150 (1972), and their progeny. Such evidence should include information in the possession of the prosecution or any of its agents, or other evidence the existence of which is known, or by the exercise of due diligence may become known to the prosecution. See Kyles v. Whitley, 514 U.S. 419 (1995). The government's disclosure obligations include any evidence that: (1) may be favorable to the defendant, (2) could reasonably weaken or affect any evidence that may be introduced against the defendant, (3) is otherwise relevant to the subject matter of this case and may in any manner aid the defendant in the investigation or preparation of his case for trial or sentencing.

Mr. Ask moves that this Order direct the prosecution to review the files of all agencies involved in the case to determine whether any additional exculpatory material exists and to disclose such material to the defense, and that it further directs all law enforcement agencies involved in any way with this case and its underlying investigation disclose all exculpatory materials.

Mr. Ask further moves that this disclosure is to be made without regard to whether the evidence may be admissible and that it shall include, but not limited to, the following:

1. Any statements of any witnesses, whether indicted or not, exculpating the defendant.
2. Any statements of any witnesses, whether indicted or not, which contradict statements of other witnesses.
3. Any reports of interviews relating to Nos. 1 and 2.
4. Any prior convictions of prospective government witnesses.
5. Any offers or promises made to prospective government witnesses to induce their cooperation against the defendant whether or not the government intends to call those persons as witnesses.
6. Any photographs used by the government agents in their investigation to identify defendant.
7. All pieces of identification bearing any of defendant's names in combinations different than that appearing on the caption of the indictment.

This Motion is based on the Indictment in this case, the United States Constitution, and the discovery already provided.

Dated: April 8, 2024

Respectfully submitted,

*s/James S. Becker*

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